

REMARKS

The application has been reviewed in light of the Office Action dated February 24, 2005. Claims 117, 118, 139-141 and 143-151 were pending, with claims 117, 118 and 144-151 having been withdrawn by the Patent Office from consideration. Claims 1-116, 119-138 and 142 were previously canceled, without prejudice or disclaimer. By this Amendment, claims 117, 118 and 144-151 have been canceled, without disclaimer or prejudice to Applicants' right to pursue the canceled claims in one or more divisional or continuation applications, and claim 139 has been amended to clarify the claimed invention. It is submitted that no new matter has been introduced by the present amendment. Support for the claim amendments can be found in the application at, for example, page 16, line 14 through page 17, line 4. Accordingly, claims 139-141 and 143 are presented for examination, with claim 139 being in independent form.

Claims 139-141 and 143 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,570,170 to Muranyi et al. in view of U.S. Patent No. 5,915,154 to Schoch et al.

Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submit that independent claim 139, as amended, is patentable over the cited art, for at least the following reasons.

This application relates to toner delivery in an image forming system using a flexible toner container. In the system, toner is drawn through a toner outlet of the toner container to a developing section, by suction with a suction pump. The toner is transported from the toner container to the developing section as a wall of the toner container deforms when the suction pump is operated. Such a system effectively delivers the toner from the toner container to the

developing section by applying suction to the toner. Independent claim 139 includes these features.

Muranyi, as understood by Applicants, is directed to an electrostatic printing apparatus wherein toner is dispensed pneumatically from a toner bottle. The toner is dispensed from the bottle by supplying a gas under pressure to a sintered stainless tube that extends upwardly into the bottle. The toner passes through a chute into a container having an air pervious, toner impervious bottom. The toner is fluidized in the container. The container bottom has a mesh sized to prevent toner particles from freely flowing therethrough and once the particles are fluidized allows them to pass through the openings in the mesh.

As acknowledged in the Office Action, Muranyi does not disclose or suggest an image forming system wherein toner is delivered from a toner container to a developing section by applying suction to the toner, as provided by the claimed invention of independent claim 139.

Schoch, as understood by Applicants, is directed to an apparatus for conveying toner material from a reservoir. Compressed air is blown into the reservoir in a finely dispersed manner to fluidize the finely powdered material so that extraction of the finely powdered material from the reservoir is facilitated. The apparatus includes a suction/pressure unit, and gas is introduced into the suction/pressure unit and mixed with finely powdered material that is sucked into the suction/pressure unit from the reservoir to form a powder-gas mixture. The mixture is discharged.

However, Applicants do not find teaching or suggestion in Schoch that the reservoir is adapted in particular for suction of the toner from the reservoir. Moreover, Applicants do not find disclosure or suggestion in Schoch or Muranyi, however, of an image forming system

wherein the toner is transported from the toner container to the developing section as a wall of the toner container deforms when the suction pump is operated, as provided by the claimed invention of amended claim 139.

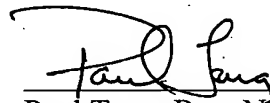
Accordingly, for at least the above-stated reasons, Applicants respectfully submit that independent claim 139 and the claims depending therefrom are patentable over the cited art.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,



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